

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re

JAMBYS, INC., ET AL.,

Debtors.¹

Chapter 11

Case No. 24-10913 (KBO)

Jointly Administered

JAMBYS, INC.,

Plaintiff,

Chapter 11

Adv. Pro. No. 24-50065 (KBO)

v.

VELOCITY CAPITAL GROUP LLC, UNITED FIRST, LLC, GLOBAL FUNDING EXPERTS, LLC, GFE NY LLC, MCA SERVICING COMPANY, CLOUDFUND LLC, DELTA BRIDGE FUNDING, LLC, MAX RECOVERY GROUP LLC, SIMMONS CAPITAL PARTNERS, NEWCO CAPITAL GROUP VI LLC a/k/a NEWCO CAPITAL GROUPS VI, SELLERSFUNDING CORP. d/b/a SELLERSFI, ASSDJS LLC, ASSDJS 2 LLC, JAY AVIGDOR, BORIS MUSHEYEV, VIACHESLAV ELIYAYEV, BARTOSZ MACZUGA, VADIM SEREBRO, and MATT SIMMONS,

Defendants.

**NOTICE AND STIPULATION OF DISMISSAL OF
DEFENDANT SELLERSFI WITHOUT PREJUDICE**

¹ The Debtors in these cases, along with the last four digits of each Debtor's federal tax identification number are as follows: Jamby's, Inc. (4264) and Jamby's NYC, Inc. (5373). The Debtors' mailing address is 228 Park Avenue South, PMB 49630, New York, NY 10003.

PLEASE TAKE NOTICE that, pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii), as incorporated by Fed. R. Bankr. P. 7041, upon joint stipulation by plaintiff Jambys, Inc. (“Jambys”) and defendant SellersFunding Corp. d/b/a SellersFi (“SellersFi”), Jambys hereby voluntarily dismisses SellersFi from the above-captioned adversary proceeding without prejudice, provided that SellersFi shall continue to abide by all of the terms of the Court’s *Order Pursuant to 11 U.S.C. §§ 105(A) and 362 Granting Debtors’ Emergency Motion for an Order (I) Declaring that the Automatic Stay Applies to Certain Actions against Non-Debtors, and (II) Preliminarily Enjoining Such Actions* [Adv. D.I. 24] (the “P.I. Order”).²

For the avoidance of doubt, SellersFi continues to recognize the Court’s extension of the automatic stay to Jack Ambrose and Andrew Goble (the “Jambys Officers”), and shall continue to refrain from pursuing all remedies against Jambys and the Jambys Officers pertaining to the agreement signed between SellersFi and Jambys on January 17, 2024 (the “SellersFi Agreement”) and the personal guarantee signed by the Jambys Officers therefor (the “SellersFi Personal Guarantee”), until confirmation of a plan of reorganization in the above-captioned bankruptcy proceedings (the “Stay Period”) and as long as the bankruptcy proceedings are not converted to chapter 7.

It is hereby further jointly stipulated that any action by SellersFi during the Stay Period to commence or continue enforcement of either the SellersFi Agreement or the SellersFi Personal Guarantee shall be deemed to be a willful violation of the automatic stay; that Jambys reserves all rights to pursue such violation(s) pursuant to 11 U.S.C. § 362(k); and that this Court shall retain jurisdiction to adjudicate same.

² Capitalized terms used but not otherwise defined herein shall have the meanings ascribed to them in the P.I. Order [Adv. D.I. 24] and in the *First Amended Verified Complaint for Injunctive Relief* [Adv. D.I. 26] (the “Amended Complaint”).

This Notice and Stipulation of Dismissal shall in no way be deemed a dismissal of the above-captioned adversary proceeding against, and shall have no effect upon Jambys's claims against, any other defendants named in the above-captioned adversary proceeding. Each side shall bear its own costs and expenses, including attorneys' fees, with respect to this Notice and Stipulation of Dismissal.

Dated: June 14, 2024
Wilmington, Delaware

**PASHMAN STEIN WALDER
HAYDEN, P.C.**

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